



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **John Moon, et al**

Application No.: **10/661,031**

Group No.: **2872**

Filed: **September 12, 2003**

Examiner:

For: **DIFFRACTION GRATING-BASED ENCODED MICRO-PARTICLES
FOR MULTIPLEXED EXPERIMENTS**

U.S. Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

****Also enclosed is a Supplemental Information
Disclosure Statement and a copy of each non-patent
publications cited therein.**

2. Applicant is

X a small entity. A statement:

☐ is attached.

X was already filed.

other than a small entity.

CERTIFICATE OF MAILING/TRANSMISSION UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal
Service with sufficient postage as first-
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U.S. Patent and Trademark Office
Commissioner for Patents
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Alexandria, VA 22313-1450

Date: February 4, 2005

FACSIMILE

☐ transmitted by facsimile to the
U.S. Patent and Trademark Office.

Signature

William J. Barber
(type or print name of person certifying)

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) - If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. §1.645 for extensions of time in interference proceedings, and 37 C.F.R. §1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)(1)-(4)) for the total number of months checked below:

| <u>Extension (months)</u> | <u>Fee for other than small entity</u> | <u>Fee for small entity</u> |
|---------------------------------------|--|---------------------------------|
| x one month | \$ 120.00 | \$ 60.00 |
| <input type="checkbox"/> two months | \$ 450.00 | \$225.00 |
| <input type="checkbox"/> three months | \$1,020.00 | \$510.00 |
| <input type="checkbox"/> four months | \$1,590.00 | \$795.00 |

Fee: \$60.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$60.00

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. §1.16(b)-(d)) has been calculated as shown below:

| (Col. 1) | (Col. 2) | (Col. 3) | SMALL ENTITY | | | OTHER THAN A SMALL ENTITY | |
|--|---------------------------------|---------------|---------------|-----------------|----|---------------------------|------------|
| CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | OR | RATE | ADDIT. FEE |
| TOTAL: | MINUS | = 0 | x\$9 = \$ | | | x18 = \$ | |
| INDEP: | MINUS | = 0 | x\$40 = \$ | | | x80 = \$ | |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | + \$ 135 = \$ | | | + \$270 = \$ | |
| | | | | TOTAL ADDL. FEE | \$ | TOTAL ADDL. FEE | \$ 0.00 |

WARNING: "After final rejection or action (§1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made." 37 C.F.R. §1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c) ☒ No additional fee for claims is required.

OR

(d) ☐ Total additional fee for claims required is \$_____.

5. ☒ Attached is ^{Two} a check in the sum of \$ 240. **FEE PAYMENT**

\$60 WAB
\$180 2/4/05
\$240

☐ Charge Account No. _____ the sum of \$_____. A duplicate of this transmittal is attached.

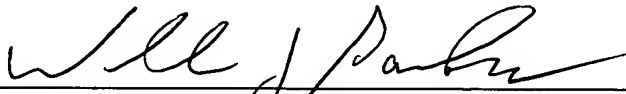
FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986 (1065 O.G. 31-33).

6. X If any additional extension and/or fee is required, charge Account No. 23-0442.

AND/OR

☒ If any additional fee for claims is required, charge Account No. 23-0442.



SIGNATURE OF PRACTITIONER

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IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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re application of

Docket No.: CV-0039A

JOHN MOON ET AL

Group No.: 2872

Serial No.: 10/661,031

Confirmation: 6760

Filed: September 12, 2003

**Title: Diffraction Grating-based Encoded Micro-Particles
for Multiplexed Experiments**

Commissioner of Patent and Trademarks
P.O. Box 1450
Alexandria, VA 22313

AMENDMENT

Dear Sir:

This is a response to an Office Action mailed October 4, 2004 submitted with a request for a one month extension of time and a phone interview between Attorney Gerald L. DePardo (Reg. No. 36,121) and Examiner Lavarias on 9 November 2004. The amendment provided herein are deemed to place the application in condition for allowance in view of the art of record. On behalf of Mr. DePardo, the undersigned would like to thank Examiner Lavarias for the courtesy and cooperation extended during that interview.

In light of the aforementioned, please amend the above-identified application as follows:

02/08/2005 CCHAU1 00000002 10661031

01 FC:2251

60.00 OP.